



10/529659
JC13 Rec'd PCT/PTO 30 MAR 2005

VIA FAX: 011 49 89 23994465
CONFIRMATION BY EXPRESS MAIL

October 8, 2004

European Patent Office
D-80298
Munich GERMANY

PCT CHAPTER II

**Re: Agent's File Reference A3-072 PCT
International Patent Application No. PCT/US03/31616
International Filing Date: 03 October 2003
Priority date: 03 October 2002
MEMORY CARD CONNECTOR**

ARTICLE 34 RESPONSE TO THE WRITTEN OPINION ISSUED UNDER RULE 66

Dear Sirs:

This communication is in response to the Written Opinion issued under PCT Rule 66 and mailed on 08 July 2004. This response is being transmitted by facsimile and a confirmation copy of this letter is being sent to the EPO by Express Mail. With this response, applicants are including a copy of the Amendments to Claims Under Article 19 sent to the International Bureau on May 10, 2004 (including a confirmation of transmission) wherein the claims were amended and narrowed down in number to 6 total claims.

In the Written Opinion, the Examiner indicates that "[t]he present application does not meet the criteria of Article 33 (1) PCT, because the subject-matter of claims 1 and 11 does not involve an inventive step in the sense of Article 33(3) PCT." The Examiner further states that the solution proposed in claim 1 of the present application cannot be considered as involving an inventive step because, "even if not explicitly mentioned therein, it is clear from D1 that because the engaging projection (33) is not press-fitted to the opening (132) but there is a partly laterally protruding tongue (331) to engage the wall of the engaging opening (132), there obviously is a 'slight' clearance between the engaging projection and the engaging opening." Furthermore, with respect to claim 11, but referencing claim 1, the examiner put forth the following reason for lacking an inventive step

It is generally known to the person skilled in the art that having an engagement protrusion in one part and a corresponding engagement opening in the other is an equivalent to the feature of having the engagement opening in one part and an engagement protrusion in the other, as in document D1, and can be interchanged with that feature where circumstances make it desirable.

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Although applicants agree in general with the principle of the reversal of parts doctrine applying to equivalents, in this case applicants respectfully disagree with the Examiner's application of this principle to the subject claims. The subject connector is designed to prevent residual stresses particularly in the plastic housing of typical memory card connectors during processing and thermal cycling of the connector. Therefore, the invention is directed to the interengagement of the housing and shell of the memory card without a press-fit or other attachment means between these two structural elements which could adversely affect the shape or positioning of the memory card housing (ref. Page 2 of Description). The requirement in the claim that the engaging structure include a projection on the *top* surface of the side wall section of the *housing* extending into an engaging opening in the cover plate of the metal *shell* wherein there is *clearance* between the projection and the opening to avoid creating residual stresses in the housing, is *not* the equivalent of having a projection in the shell and an opening in the housing because any changes in dimension or shape of the housing due to thermal expansion and resultant residual stresses in the housing will be imparted directly to the shell since the shell is attached into the arms of the housing. Therefore the required elements of claim 1 are simply *not* met by the D1 reference, contrary to the Examiner's line of reasoning.

Furthermore, and still with respect to D1, it is *not* obvious, nor is it practical to assume, that there is clearance between the projection and the opening just because there is a partly laterally protruding tongue to engage the wall of the opening. If such clearance were present, the retaining portion 331 of the plug strip 33 may not hold the supporting plate on the connector body with sufficient retention force. Often a locking tongue is used as a secondary or redundant lock.

Figures 1, 6, 7 and 8 of applicants' drawings show the claimed feature(s) clearly. Figures 1 and 2 of reference D1 clearly show that these elements are *not* present in the D1 reference.

Accordingly, it is applicants' opinion that the pending claims are patentably distinguishable in view of reference D1 and *do* involve an inventive step. In view of the foregoing, applicants respectfully request that the Examiner reconsider the relevancy of the cited reference D1 and reissue a favorable examination.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stacey E. Caldwell". The signature is fluid and cursive, with the first name "Stacey" and last name "Caldwell" clearly distinguishable.

Stacey E. Caldwell
Agent

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